FIFTY-SECOND YEAR

MONDAY, AUGUST 25, 1902. SALT LAKE CITY, UTAH.

NUMBER 239

After New Trial For Mortensen

Stewart Brothers, Counsel for Condemned Man, Set Forth That a Mistake Was Made in Having Jury Go to Premises Without Accused Being Present-As to Royal B. Young's Position.

After several attempts made by defendant's attorneys to induce the court to allow Royal B. Young to take the witness stand and testify as to certain alleged wrongful acts committed by the jurors upon their official visit to the scene of the murder of James R. Hay, and which alleged acts are made the principal ground of error in support of the motion of Peter Mortensen for a new trial, the court at about 11 o'clock this morning ordered that a recess be taken until 2 o'clock in order to give defendant's attorneys another chance to secure the coveted affidavit of Mr. Young touching on the subject, and which he heretofore refused to give. According to the rulings made this morning it is quite evident that the affidavit will be the only way in which the matter can be brought before the the matter can be brought before the court on a motion for a new trial.

This delay in the proceedings prevents all possible chance of the arguments on the motion being completed

MORTENSEN HANDCUFFED.

Peter Mortensen entered the courtroom at 10 o'clock in charge of Sherift Naylor and Deputy Raleigh. He was handcuffed to Fred La Blanche and John Jones, who were brought before the court for arraignment on the charges of robbery and grand larceny. His father and brother Jesse were already in the courtroom, and his brother Henry came in about five minutes later. Mortensen looks as well as ever and showed no signs of worry or nervousness. He took a seat on a bench be-side his father and brothers, where he remained in conversation with them during the entire session of court. The crowd in attendance was rather small and was composed of more women than men. The only jurors present were John B. Dailey and H. T. Shurtliff.

OPENING ARGUMENT.

Barnard J. Stewart opened the argument in favor of the motion for a new trial by reading the motion as here-tofore published in the "News" in full, and the affidavit of himself, in support thereof, which set out that he was unable to get the affidavits of the bailiffs officer of the court in charge of the jury on its visit to the scene of the murder, when, it is set out in the affidavit, that a number of the jurors stepped off certain distances and considered certain matters as evidence against defendant, all of which was done during the absence of defendant which was contrary to law. The affidavit further sets out that Royal B. Young and the bailiffs in charge of the refused to make affidavits as to e action of the jury on its visit to e scene of the murder, and it was asked that they be cited to appear and before the court as to the actions of the jurors on that occasion.

AFFIDAVITS OF JURORS.

He then read the affidavits of Jurors James M. Barlow, Stephen R. Le and John B. Dailey, which were filed by District Atty. Elchnor, all of which were to the effect that they had not measured off the distances, as set forth in the affidavit on behalf of defend-ant, and that they had not discussed the same and considered them as evice against defendant.

The affidavit of Henry Mortensen, which was filed by Mr. Stewart this morning, was then read. It follows in

HENRY MORTENSEN'S STORY.

Henry Mortensen, being first duly sworn, deposes and says: "That on or about the 15th day of March, 1902, after the arrest of Peter Mortensen, the defendant in the above entitled action, I moved with my family to the home or residence then owned by Peter Morten-sen; said residence being the place where Peter Mortensen lived duing De-cember, 1901, and many months prior hereto, and that I have resided at said Mortensen home and premises with my family ever since. That shortly after I took possession of said premises, and cause, and prior to May, 1902, I made a number of improvements and alterations upon said premises, around the barn, sheds and rooms of said house belonging to Peter Mortensen, to-wit: the north rooms, the east rooms, and the southeast room; and that I made ertain improvements and alterations cellar of the house belonging to aid Peter Mortensen by taking out old , potatoes and various other materials deposited and stored in said cel-lar. That immediately prior to the time the jury visited said premises, to-wit: on the 10th day of June, 1902, and immediately before and immediately af-ter the visiting of the said premises by cause, and of my own knowledge, I say that the cellar and rooms and buildngs upon said premises were not in the same condition as they were at any time during the month of December, 1901, and prior thereto, and at the time

hat the said James R. Hay lost his And I further say that I was on the rallroad track north and west of these bremises known as the Peter Mortenhome at the time when the jury In the above entitled cause visited the premises, and that I saw certain jury-men, to-wit: Alma H. Rock and Sterling R. LeRoy, measure by stepping off

ces along said track. And I further say that the defendant in the above entitled cause. Peter time said jury was visiting said prem-

AFTER MR. YOUNG.

If the court please," continued Mr. "I ask that Royal B. Young placed on the stand at this time t lestify in regard to the actions of the jury on its visit to the scene of the He has been subpoenzed and is resent in court."

Such action was objected to by Dist. Atty. Eichnor on the ground that such matters should be brought before the court, on a motion for a new trial, by the fling of affidavits, as provided in

Judge Morse held that the matter should be brought before the court by affdavit and hence refused to allow Mr. Your Mr. Young to be placed on the stand.

Mr. Stewart then asked that Mr

Young be placed on the stand to testify in relation to matters set out in the affidavit filed by himself. In support of his motion to place Mr. Young on the stand, Mr. Stewart argued that it was a right of this defendant to show that the investment that the jurors stepped off certain dis-tances and considered certain matters as evidence during his absence, and that if the officers in charge of the jurors refused to make affidavit in re-

them in court to testify. "This is a case," he said, "wherein the public is greatly wrought up and the officers ar Perhaps wrought up and it is necessary that such action be taken in order to secure justice to defendant. The officer of the court in charge of the jury has refused to make an affidavit and I think that he should be placed on the stand to testify as to these natters so that justice may be done defendant on hearing for a new trial."

gard to such matters, it was only a matter of justice to defendant to have

THE COURT REFUSES.

Judge Morse stated that he did not think it proper to place Mr. Young on the stand in support of Atty. Stewart's affidavit and he again re-fused to allow Mr. Young to be placed on the stand. on the stand.

on the stand.

A motion was then made by Mr. Stewart to order Royal B. Young, Sheriff Naylor, Balliffs Arnup and Bull to appear in courf to testify as to the matters set forth in the affidavit filed by defendant's attorneys. "I now offer to put Royal B. Young on the stand," said Mr. Stewart, "to prove that James M. Barlow, one of the jurors, stepped off the distance between Peter Mortensen's house and James R. Hay's house and the distance between Peter Mortensen's house and James R. Hay's house and the width of the street between the houses and distussed such distances with other jurors, and that one juror disagreed with him and stepped off the distances himself. The jury was then taken into the house and Mrs. Henry Mortensen was asked the way to the cellar. They went down into the cellar and measured certain distances down there. Juror Dalley asked Mr. Young there. Juror Dailey asked Mr. Young if the celiar was in the same condition as when the murder was committed and that gentleman said that he thought

"I wish to prove that the jury then walked down the street car track on Seventh East street to the Rio Grande Western track and that Mr. Le Roy stepped off 70 yards on the latter track stepped on to yards on the latter track east of the crossing, and one of the jurors said that that was not where Peter Mortensen stood, that he was west of the crossing. Mr. Le Roy replied that he guessed he was 'turned around.' He then measured the distance west of the crossing. Mr. Young then showed the jurors the blood on the ground and showed them the condition of the grave and explained other mat ters in connection with the scene of

Judge Morse then announced that the court would take a recess until 2 o'clock during which time the attorney for defendant could ascertain whether or not Mr. Young would make affidavit as to such matters within his knowledge in relation to the visit to the scene of the crime. At that time he said he would determine on what further action should be taken in the matter. An adjournment was then taken.

WOULD NOT LET HIM TESTIFY. When the court resumed its session this afternoon, Judge Morse denied the motion of Attorney Stewart to place Royal B. Young on the stand. Judge Morse stated that defedant's attorney would not be allowed to put on any witnesses in connection with this mat-ter. Mr. Stewart then asked that his statements made in connection with this matter, as to what he wanted to prove by the witnesses, be made a part of the record in connection with the

motion for a new trial. The request was granted by the court. Mr. Stewart then made another atcourt by oral testimony by asking that Joseph Bull, Jr., be placed on the stand to testify as to certain measurements made by the jurors. The court refused to allow Mr. Bull to be placed on the stand and stated again that no

witnesses could be placed on the stand in connection with this matter. The argument on the motion was then commenced by Mr. Stewart, by reading the instruction of the court to Royal B. Young, who was appointed as special officer of the court, to take the jury to the scene of the crime and point out the places mentioned in the testimony in the case.

"We contend, your honor," argued Mr. Stewart, "that error was committed in allowing the jury to visit the scene of the crime without defendant accompanying it. The defendant can-not waive his right to visit the scene with the jury. That is a constitutional right which cannot be waived. It is a right which is given to him by the con-stitution of this state and the United States, the right to be confronted by the witnesses againts him. It is impos sible for a jury to visit the scene of the crime without receiving new and stronger evidence through their senses. Hence in this instance the constitutional right of defendant was violated when the jury was allowed to visit the premises without defendant accompa-

"In that connection the court erred when he allowed Mr. Eichner to state in open court and allowed the same to be made part of the record, that Mr. John C. Sharp would testify as to cer-tain matters. Mr. Sharp did not testivere admitted by defendant's attorney, Under no consideration can the attor neys for defendant agree to the ad-mission of evidence against him. Such action would not be confronting the de-fendant with witnesses, which as a right guaranteed to him by the Con-stitution. In support of that contention I cite a California case which is

very similar to this case. "The situation in this case is the jury was sent to visit the premises without the defendant. Certain measurements were made by them, new ideas and impressions were received. The officers in charge of the jury refused to make affidavit of what took place on the visit to the premises. The court refuses to order them to testify as to such matters because the testify as to such matters because the testimony in

the case is closed. "When this jury went down there to view the premises who can say that they did not receive impressions which unknowingly affected their verdict?

Was that visit evidence in this case? We contend that if the plats introduced by the surveyor were evidence, then the houses, the tracks and the grave from which said plats were made, are even stronger evidence and that evidence was not introduced in this case in the presence of defendant,

HER SON KILLED.

Young Salt Laker Meets Death in a Mine in Arizona.

An aged woman giving her name as Hansen, called at the police station this morning with a telegram from Bisbee, Ariz., announcing the death of her son, who was killed there in an accident at the Copper Queen Consolidated mine. The message was very brief, merely stating that her son had been killed and asking for instructions as to the disposition of the remains. Mrs. Hansen asked Chief Paul to do something for her in the way of compelling the mining company to send the body home. The chief communicated with Joseph W. Tay-lor, and the latter said he would attend to the matter himself.

MEADOWVILLE P. O. DISCONTINUED

(Special to the "News.") Washington, D. C., Aug. 25 .- The postoffice of Meadowville, Rich county, has been discontinued; mail to Lake-Jereme M. Hogman, of Lander, Wyo-

ming, has been appointed a railway

OHIO LEGISLATURE

IN EXTRA SESSION.

Columbus, O., Aug. 25 .- The Ohio legislature convened at 3 p. m. today in extraordinary session to enact laws to provide for the government of municipalities and to restore lost jurisdiction to the supreme court, these matters having been rendered chaotic by the action of that court during the early sum-

The governor's message was received after which adjournment was taken. In his message Gov. Nash calls attention to the act, passed last May, depriving the supreme court of nearly all the appellate jurisdiction formerly possessed by the court. The repeal of the act is recommended. Continuing the message

"During the last days of June the supreme court of the state handed down several decisions which practically deprived our municipal corporations of all government. It is apparent that this is an extraordinary occasion which needs a remedy at the earliest possible moment. Constitutional government must be restored to our cities and villages. The labor demanded of us is not so much a work of construction as of readjustment. The question now is not what we think would be a 'model' municipal government, but what we can must evidenie the constitutional limit. get considering the constitutional limitations and all the circumstances surrounding us. The task must be approached with a spirt of 'give and take' and with a determination to accom-plish something which will bring order out of chaos. It is time enough to atempt to have our favorite ideas in re gard to municipalities incorporated into law after order has been restored and when the general assembly has ample time at its regular session to discuss

The governor traces briefly the hisconstitutional government municipalities in Ohio, advises that the egislature ignore the requests for constitutional convention and submits a municipal code bill, the enactment of which he recommends.

PRESIDENT AND TRUSTS. English Newspapers Taking Time to Digest His Views.

London, Aug. 25.—The newspapers here are taking time to digest President Roosevelt's views on trusts and there has been liftle comment upon the subject thus far. The Evening Stand-ard considers that his definition of the position combinations ought to occupy "precisely what is expected of a man of the president's temperate, logical mind," and adds that "the suggestion of governmental supervision of capi-talistic rings is admirable in the ordinary, although it is not easy to sur-mise how it can be made operative."

The Pall Mall Gazette remarks "President Roosevelt's ment leaves no doubts that he intends at least to scotch some of the Levithian enterprises which are deleterious to the general community.

"At the same time he is too wise to ignore the fact that the tendency of commerce is in the direction of a con-centration of forces and that this force needs guidance and not blind oppost-

Colorado Socialist Ticket.

Denver, Colo., Aug. 25.—The referendum vote of the Socialist party resulted in the nomination of the following

For Congress-Ida L. Howe, of Den-Governor-Edward C. Boyce, Denver, Lieutenant Governor-R. A. South-

worth Denver. Secretary of State-C. H. Norris, Attorney General-Carl Whitehead,

State Treasurer-George B. Arnold, Auditor-William N. Nash, Delta. Superintendent of Public Instruction
-Anna P. Parrott of Goldfield.

Colombian Rebels Increase.

Kingston, Jam., Aug. 25.-The British steamer Orinoco which arrived here to day from Colombian ports, reported that the rebels of Colombia are increasing their forces continually and that there is great activity in the of the isthmus. It is feared that the government garrison at Colon cannot successfully defend the town, owing to the strength of the rebels. The Orinoco has as a passenger Capt.

Navarro, who is proceeding to the isl ad of Trinidad to take command of the Venezuelań revolutionary known as the Ban Righ and Bolivar which the Colombian government is reported to have acquired from the Vene zuelan revolutionary party for warship

Platt Returns Home.

New York, Aug. 25.—Senator Thomas C. Platt has returned to this city after a two weeks' outing in the Adironcurrent matters, saying that he had not kept in touch with recent developtil about Scpt. 20, when he will leave for Saratoga to attend the state con-

Coal Strike Closes Work.

Huntington, W. Va., Aug. 25.—Work has been suspended indefinifely on Lock No. 2, Big Sandy river. Six hundred men are made idle. The cement supply has become exhausted because of the anthracite strike, which has caused most of the cement plants to

DOOLY DEEDS TO WELLS-FARGO

Transfers Valuable Property to Company He Once Represented.

WHAT DOOLY SAYS ABOUT IT

List Includes the Keogh-Wright Hospital and Several Modern Residences Opposite Lowell School.

John E. Dooly, former cashler of Wells, Fargo & Co. today transferred to it a large amount of valuable property. The deeds went on record at a late hour this afternoon. In speaking of the matter to the "News" Mr. Dooly said the transaction was not the result of any obligation of his to the company, but that it was simply the transfer of property that Wells, Fargo & Co. had acquired during the collapse that followed the boom and that the deeds all ante-dated 1896. Among the property transferred is the Keogh-Wright hospital and a number of residences on E street which, Mr. Dooly says, were taken in under mortgage in 1896 from John G. Mitchell. The full list is as

Warranty Deed-John E. Dooly to Wells, Fargo & Co., Sec. 17, township 1 weeks, Fargo & Co., Sec. 17, township in north, range 1 east, \$5.

Warranty Deed—John E. Dooly and wief to Wells, Fargo & Co., 596-1000 int. in Hackett Sub., excepting lots 6 to 12 inclusive, block 3 Hackett's Sub., \$1.

Warranty Deed-John E. Dooly and wife, to Wells, Fargo & Co., north by ot southwest 1/4, section 15, township south, range 2 west. Also, northwest ¼ of southwest ¼, ection 15, township 2 south, range 2

Also northeast ¼, scuthwest ¼, section 15, township 2 south, range 2 west.
Also 18¾ square rods, lot 4, black 30, Also und. 2-3 northeast 1/4, northeast

west, \$5. 2 west, \$5.
Also 3x10 rods, lot 8, block 47, plat C.
Also east ½ lot 6, block 31, plat A.
Also part lot 1, block 47, plat B.
Also lot 1, block 30, plat D.
Also lot 3, block 37, plat D.
Also west ½ lot 2, block 115, plat A.
Also, lots 14, 15, 16, 17, 18, 19, Pearson's ub., \$16.

ON GOOD TERMS AGAIN.

It is stated that Duke and Robertson are on good terms again; that they are working side by side as well as the Persian monarch to Prance left Dover amid the firing of a royal salute who are unkind enough to allege that who are unkind enough to allege that they were never at outs at all and that their alleged disagreements after there arrest was all make believe.

APOSTLE YOUNG'S CONDITION Undergoes a Successful O eration at R xburg, Idam, Today.

Dr. A. C. Young left yesterday morning for Idaho, his purpose being to conduct safely to this city his father, Apostle Brigham Young, who, reports state, has suffered a relapse physical- | Renthel, live in other countries. ly, and is at present in a bad way. Readers of the "News" wil remember that some seven weeks ago Apostle Young, Apostle Woodruff, and others, left this city on an extended pleasure tirp, the same having been planned in the hope that it would benefit Apostle Young's health. For a time the trip condition improved wonderfully. But a few days ago he had a setback and was attacked by dropsy and other troubles. He is now in the Teton Basin, where the party attended a conference yes-

terday,
O. C. Beebe, one of the party, re-turned Saturday night. He says the outing for the most part has been highly enjoyable and those participating have had a most excellent time. comprised Apostles Young Woodruff, Mrs. Woodruff, George S. Gibbs, Isaac Russell and Mr. Beebe. They went first to Bear Lake thence to Star Valley, Jackson's followed the Buffalo river Big Horn Basin, and then back by another route to Jackson's Hole, where they stopped for a few days. In their journeys they held meetings at Bur-lington, Cowley, Byron and other set.

tiements in the Big Horn Basin, at each of which a time of rejoicing was SUCCESSFUL OPERATION.

A telegram from Rexburg to the First President's office today says that Drs. Young and Rich performed a successful operation on Apostle Young this morning, and that they would leave for this city on this faternoon's train.

SUSPECTS IDENTIFIED.

Police Land Two Men Supposed to be Daring Footpads.

The police have finally landed two of the holdup suspects who have been operating in this city for some time and their prospects for going over the road to the state prison are exceeding-

The men are those arrested by De

The men are those arrested by Detectives Chase and Gillespie last week, and one of them has been positively identified by William Perry, the paper-hanger who was held up on the night of the 19th and relieved of 25 cents. The The suspects gave their names as J. H. Carsner and T. E. Stubbs. The former is the one recognized by Perry. He is the one who pulled his mask from his face when he searched Perr.'s his face when he searched Perr-pockets. The latter called at the police station this morning and was confronted with the suspects. In an instant he recognized Carsner as one of the thugs. Both men denied the charge, but the colice say that was to be expected.

Asst. County Atty. Loofbourow filed a complaint charging the men with robbery, and Mr. Perry signed it. The terlows will be arraigned tomorrow

OGDEN ROBBERY CASE.

W. H. Ferguson Must Answer to the District Court.

(Special to the "News.") Ogden, Aug. 25.-W. H. Ferguson was given a hearing this morning before Judge Howells on the charge of robbery. The first witness was Bertha Neslin of Iowa, who testified that while

en route east from the coast on the 7th of the mouth she had a small hand satchel containing a diamond pin and other articles; that while sleeping on the 7th at about 11 p. m. the satchel was stolen. She identified the articles taken from Ferguson when he was arrested as her property. The conductor taken from Ferguson when he was arrested as her property. The comductor and brakeman of the train upon which the robbery occurred testified that Ferguson was a passenger thereon, and that he left the train near Fenion, Nev. Ferguson testified in his own behalf and said that he did not steal the valice, but found it at the place mentioned above. It had been cut open and part of its contents removed. He admitted, however, that he took the articles found upon him from the satchel. He was held to the district court in \$1,000. was held to the district court in \$1,000, which he could not furnish and was

RESCUED HIS SON FROM A MOB.

Hazelton, Pa., Aug. 25.—August Sheuch, aged 56, a special policeman in the service of the Lehigh Valley Coal company, was assaulted and stabbed today while attempting to rescue his son, William Sheuch, a non-union workman, from a mob of about 3,000 strikers on the outskirts of Hazleton. The trouble occurred at the company's No. 40 colliery, where young Sheuch worked, in an attempt on the part of the strikers, who had gathered from al parts of the Hazleton region, to frustrate the plans of the company for a partial resumption.

Two hundred and fifty non-union mea-had been secured. A majority of them were taken to the workings in a spe-cial train, with which the strikers did not attempt to interfere, but Sheuch, who lives in this city, walked from his home toward the colliery. He fell into the hands of the pickets, and most of the clothing was torn from his back in the clothing was torn from his back in the struggle that followed. When Sheuch's father rushed to his aid, the mob set upon the elder Sheuch, who finally was rescued by a mine foreman and removed to a hospital.

Sheuch was stabbed in the breast and on each hip, kicked in the adbo-men and struck on the head with a stone. His injuries are not very seri-The effort to prevent work at the

mine was successful.

The report of a resumption at the Cranberry colliery of A. Pardee & Co., caused about 500 men to gather near the mine today, but no attempt was made to start work.

SHAH OF PERSIA

London, Aug. 25 .- The shah has bid

farewell to England after a week's He has gone to Paris, where he will spend ten days incognito. His departure from London was marked by a big gathering of officials and a military

display.

The special steamer which conveyed cruisers.

Killed by a Street Car.

St. Louis, Aug. 25,-Marie Antoinette Hopkins, widow of the late Edward A Hopkins, former United States minister to Argentine, was killed instantly by stepping in front of a street car going 30 miles an hour, Mrs. Hopkins was born in Paris, France, in 1839. She was a marchioness by birth. In 1860 she married Baron von Renthel. Later she in 1894. Five children survive her, all of whom, except Constantine L. von

Robbed Bank of Silver.

Aberdeen, S. D., Aug. 25.—The First National bank was robbed of \$3,800 in silver Sunday night. The robbers en tered the basement, thence going up stairs. They cut a hole in the vault through the side steel. The chest was not opened, the silver being stored in sacks in the vault outside of the safe. There is no clue.

Trial of the Eattleship Maine.

Philadelphia, Aug. 25,-The new batdeship Maine returned to Cramps shipyards today from her trial trip over the Cape Ann course. The vessel is said to have made a new coast record yes-terday on the run between the Boston lightship and the Overfalls lightship off the Delaware capes, negotiating the distance of 412 miles in 24 hours ten minutes. Her average speed was 16.91

RECORD SHIPMENT.

Dominion Liner Sails With Twenty-Five Hundred Head of Stock.

Portland, Me., Aug. 25 .- The largest shipment of cattle ever taken across the Atlantic left on the steamer Nordsen of the Dominion line. In all there were 1,179 head of cattle and 1,398 sheep. This breaks all records for cat-

TO MAD (A' STRIKE.

Prest. Roosevelt May Call Special Session of Congress.

New York, Aug. 25.—President Roose velt will be asked to call a special session of Congress to take action to end the coal strike. This was decided at a meeting today of the Central Federated union, representing 250 000 workmen. A mass meeting, under the auspice of the labor unions of New York city and vicinity, will be held, at which res, olutions will be adopted urging President koosevelt to convene Congress im. mediately, and decide upon plans which will bring the strike to a speedy ter-

WILL ESTABLISH INNOCENCE. Gen. Molineux Says Has New Evidence Which Will Clear Son.

New York, Aug. 25 .- Gen. Edward L. Molineux, whose son, Roland, is in the Tembs awaiting his second tirial on the charge of causing Mrs. Kate J. Adaris' death, declares he has secured new evidence which will be presented when the trial is called in October. "I know positively that my son is insaid. "I have the absolute proof in my It is more than ten months since the

court of appeals granted Molineux a new trial. During that time the gen-eral has worked up the evidence through which he says he will estab-lish the innocence of his son beyond the shadow of a doubt.

Spoilt His Han I.

New York, Aug. 25 .- James McCoy, New York, Aug. 25.—James McCoy, on June 2 last, was shot by County Detective McLennan, of Dist.-Atty. Jerome.'s staff, in a raid on an alleged poolroom, has so far recovered that he has been able to walk about the hospital grounds. The bullet is still in his head.

Sees No Sign of A Settlement.

Gen. Gobin Says All Indications Point More Definitely To a Prolongation of the Strike-Uses Every Opportunity to Make a Conservative Plea For the Strikers-Operators More Willing to Come to An Accommodation.

Shenandoah, Pa., Aug. 25.-After hav- ; ng met a number of mine operators, Gen. Gobin said today that he does not see any signs of a settlement of the strike. In fact, he states that all indiations point more definitely to a proongation of the strike now than they did when he first reached here. Gen. Gobin is using his good offices toward a settlement and he allows no opportunity to pass, when in conference with operators, to make a conservative plea for the men on strike. The miners display a friendly feeling toward Gen. Gobin personally and the military has become popular.

Individual operators are beginning to display evidence of a willingness to end the strike if a method could be shown them how they could make concessions to the men without stultifying themselves. In speaking with members of the staff at brigade headquarters, some have within the past few days stated that if a way could be suggested where-

NEVADA SILVER PARTY CONVENTION

Reno, Nev., Aug. 25.—The Silver party a strong candidate for governor.

Sadler, however, claims that he has votes enough to secure the nomination. party state convention meets in this city tomorrow to nominate a United States congressman and a full state ticket. The Democratic state convention meets here also on the same date and for the same purpose. Fusion may may not be effected.
The Democrats are fighting Sadler's The Democrats are fighting Sadler's renomination for governor and it is believed that Congressman Newlands, candidate for United States senator, is behind the fight made on Sadler. John Starks is being boomed by the Democrats for the position, but he has not yet consented to run. Sparks is a wealthy cattleman and owner of the famous Wedekind mine. He would make

mous Wedekind mine. He would make

date for Congress, but there are several

Lem Allen is another aspirant for with Heutenant governor. Howell, the present incumbent, has opstate in the person of Nate Roff, also a

All the delegates of both conventions are here and the question of fusion and the aller button of the office is being discussed. It is impossible to forecast result, as both Silver and Demo-

LEAVES ENGLAND PICKETS PATROL EVERY PATH AND ROAD

inauguration of the anthracite coal | were turned back. The extra vigilance miners' strike have the United Mine was due to the rumor that it is the intention of the Lehigh Coal and Na item to the Panther Creek valley as today the Panther Creek valley as today. sufficient men can be secured. An offi-Every road and path leading to the col-Heries was guarded in an effort to persuade the non-union men not to go to work. No new recruits were added to mines for this reason.

Tamaqua, Fa., Aug. 25.-Not since the | the working force and quite a number that practical miners are hard to pro-

GEN. MILES TO SAIL FOR THE PHILIPPINES.

New York, Aug. 25.—Gen. Nelson A. make any suggestions to the civil government there?"
"No, I will have nothing to do with Miles will sail for the Philippines with. in a few weeks, says a Herald dispatch from Boston. He is reticent as to the object of the trip. When asked if he was going in his official capacity, he re-

"Well, I'm not going as a tourist reither am I going for my health. I cannot tell until I get there what I will do." "Will you take any part in the ne-

gotiations relative to the Friars lands?" "Will you confer in any way with, or

any matters outside of my profession."

questions relative to his trip. A Washington dispatch regarding the Boston report declares nothing is known in the office of the adjutant general regarding the intentions of Lieut. Jen. Miles to go to Manila. The gen-ral would not have to report to that office his intention to leave the courtry, but it is not thought he would take such a step without communicat ing his intention to the secretary of war or the president.

UNAUTHORIZED INSURANCE

The Victoria a Concern Hitherto Unknown in The Utah Field.

Claimed to be Violating the State Insurance Laws - Local Agents And Others Stirred Up.

The oldest established insurance agencies and the insurance department of the State of Utah, which is governed in the office of the secretary of state, are greatly stirred up over the developments which have arisen in the adjustment of the Robinson Bros', shoe factory fire. In taking a list of the insurance policies held by that firm, one policy written by a hitherto unknown company in Utah, the Victoria, was discovered among the others. Insurance agents interested at once lodged complaint with Secy. Hammond, stating that the Victoria and the insurance agent representing it, Mr. E. H. Pierce, were liable under the civil and crimina! laws of the state, and demanding that action be taken against both the corr-

puny and the agent. Dvery insurance company doing business in Utab is fiable for a state tax as well as a city license, and in addition is compelled by law to file an anrual statement of its financial condition so that the public may be guarded against "wild cats,"

Secy. Hammond said to a "News"

representative this morning, "The Vic-toria is a company I never heard of before. Certainly it has never filed any statement of its condition in my offic nor paid any state tax. This renders the company and Mr. Pierce, the agent, able under the law, and I shall cer-tinly take vigorous action against both. I notice by a morning paper that Mr. Pierce defends himself by saying the Victoria is operating under the license of the Union company of Lon-don. This it certainly has no right to do. He further says that the Thur American do not take out separate licenses, but operate under the wing of the parent company. In this he is decidedly mistaken. No company can be operating in Utah without standing upon its own bottom. The Frankfort American has paid its license and filed its statement. The Thuringia Amerian does not now write business in this

Mr. Pierce claims that Robinson Bros. will get their money from the Victoria as soon as from any other company, and he thinks it is not necessary for the Victoria to take out a license as it has the same officers, and directors as the Union company of London, and he adds that if necessary the payment of its policies could be enforced by a suit against the parent company. He also attributes the complaint against him panies have against him as "a non Secy. Hammond, however, takes no part in any board or non-toard questions, but will proceed against Mr. Pierce and the Victoria solely for violating the state insurance

MORE THAN DRINK.

Unpleasant Predicament of Al Shaw Boarding at Police Headquarters.

Al Shaw, the young man arrested Saturday afternon for drunkenness, has found himself in more serious trouble, He will have the additional charge of petit larceny to face when his case is called before Judge Diehl tomorrow morning at 10 o'clock.

Among the things found on Shaw when he was searched, were a purse, a small knife and a pawn ticket for a watch. This morning a young man named Dahl, called at the police sta-tion and identified the property as his, and said that Shaw had stolen them from him. The two roomed together for a few days, and on Friday last Dahl missed the purse and knife and a

valuable gold watch, which he had broungt from Germany. This morning Shaw told Detective Gillespie that he foun' the articles at the head of the stairs while going to his room, and while under the influence

of liquor he pawned the watch for

WILKINSON FREE AGAIN.

Charge of Burglary Against Him Was Dismissed.

Jas. W. Wilkinson, the young man who was arrested a few days ago on the charge of burglary, is once more breathing the air of freedom. The complaint was dismissed by Judge Tanner this afternoon upon motion of Asst.-County-Atty. Loofbourow.